

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

LCCS GROUP,	)	
	)	
Plaintiff,	)	Civil Action No. 1:16-cv-05827
	)	Honorable Harry D. Leinenweber
v.	)	
	)	MOTION TO DISMISS
A.N. WEBBER LOGISTICS, INC., et al.,	)	
	)	
Defendants.	)	

**MOTION TO DISMISS DEFENDANT**  
**LENZ OIL SERVICE PEORIA, INC. WITH PREJUDICE**

Plaintiff LCCS Group (“Plaintiff”), by and through counsel and pursuant to Fed. R. Civ. P. 41(a)(2), respectfully moves this Court for an appropriate Order which dismisses Defendant Lenz Oil Service Peoria, Inc. (“Lenz Oil Peoria”) with prejudice from this cause. In support of this Motion, Plaintiff states as follows:

1. On June 3, 2016, Plaintiff filed a Complaint seeking contribution and declaratory relief under CERCLA at the USOR Site against several defendants, including Lenz Oil Peoria (Dkt. No. 1).
2. On August 16, 2016, Lenz Oil Peoria filed its Answer to Plaintiff’s Complaint (Dkt. No. 65).
3. Plaintiff has entered into a confidential settlement agreement with Lenz Oil Peoria, which settles all claims between Plaintiff and Lenz Oil Peoria for a sum certain and other valuable consideration exchanged between the parties.
4. Under the terms of the settlement agreement with Lenz Oil Peoria, Plaintiff agreed to dismiss Lenz Oil Peoria as a defendant from this cause with prejudice, each party to bear its own costs.

5. A proposed Order is attached as Exhibit A.

WHEREFORE, for the foregoing reasons, Plaintiff respectfully requests that the Court enter an appropriate Order dismissing Defendant Lenz Oil Service Peoria, Inc. from this cause with prejudice, each party to bear its own costs, and for such other and further relief as this Court may deem just and proper under the circumstances.

Dated: December 20, 2019

Respectfully submitted,

THE JUSTIS LAW FIRM LLC

/s/ Gary D. Justis

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ATTORNEYS FOR PLAINTIFF LCCS GROUP

**CERTIFICATE OF SERVICE**

I hereby certify that on December 20, 2019, a copy of the foregoing Motion to Dismiss Defendant Lenz Oil Service Peoria, Inc. with Prejudice was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access the filing through the Court's Electronic Case Filing System.

/s/ Gary D. Justis

Gary D. Justis